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UNITED NATIONS

CEDAW

Convention on the Elimination of All Forms of Discrimination against Women

Distr.
LIMITED

CEDAW/C/1996/L.1/Add.8
29 January 1996

ORIGINAL: ENGLISH

COMMITTEE ON THE ELIMINATION OF
DISCRIMINATION AGAINST WOMEN
Fifteenth session
15 January-2 February 1996

ADOPTION OF THE REPORT OF THE COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN ON ITS FIFTEENTH SESSION

Draft report

Rapporteur: Ms. Hanna Beate SCHÖPP-SCHILLING (Germany)

Addendum

IV. CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION

B. Consideration of reports

3. Second periodic report

Belgium

1. The Committee considered the second periodic report of Belgium (CEDAW/C/BEL/2) at its 300th and 301st meetings, on 26 January 1996 (see CEDAW/C/SR.300 and 301).

2. The report was introduced by the Permanent Representative of Belgium to the United Nations and by a representative from the Federal Government and one each from the Flemish and French communities. They underlined that the report under review, submitted in 1992, was outdated to some extent since the constitutional reform of 1994 had introduced a federal system, giving communities and regions the same standing as the federal authority.

3. The Committee was informed that reservations on article 7 and article 15 of the Convention would be withdrawn since a new law had been adopted to enable women to exercise royal powers and changes in the Constitution had rendered void the reservation relating to marriage law. The withdrawal of these reservations would be undertaken, while reservations to all human rights instruments were being revised in keeping with the Vienna Declaration and Programme of Action.

4. Equality was a priority for the federal authority, the communities and regions. Commitments on the promotion of the human rights of women made at an international and European level were taken seriously. To that end, several high-level posts had been established, including that of a Federal Minister for Equality, who was also Minister for Employment and Work and a Minister for Equality in the Flemish Government. Priority concerns were the eradication of violence against women, discrimination in employment, low levels of women in government decision-making, women's health, attitudes that perpetuated sex discrimination and stereotypes in the media.

5. Numerous measures of affirmative action had been taken. To increase the number of women in public life, a law had been adopted in 1994 that stipulated that the number of candidates of the same sex should not exceed two thirds on any electoral list. As a result, the percentage of women had risen from 10 to 12 per cent in the communal elections and from 6 to 8 women (32 per cent) in the elections for the European Parliament.

6. In order to combat violence against women, the Government had adopted a new law on rape, the definition of which included rape within marriage and homosexual relationships. A number of measures to avoid secondary victimization had been taken and included a sexual assault pack to be used in police stations and a campaign in the medical community to establish confidential medical certificates for victims. A landmark law had been adopted in 1995 on trafficking in human beings, which included provision for acts committed extraterritorially.

7. It was reported that voluntary interruption of pregnancy had been made legally possible under certain conditions, upon the written request of the woman, and with mandatory counselling.

8. Representatives stated that women had access to credit and loans and could participate in all aspects of cultural life.

Concluding comments of the Committee

Introduction

9. The Committee welcomed with satisfaction Belgium's detailed and exhaustive presentation, which reflected the significance the country attached to the Convention. The Committee likewise noted the updated information provided by the oral report, which complemented the written report, addressed the questions raised by experts and helped the Committee to appreciate fully the importance of more recent efforts to implement the Convention.

10. The Committee noted the efforts by the Federal Government and the French and Flemish communities to share fully the richness and diversity of their experiences in promoting women's equality in their respective communities by sending representatives from all three to present the report.

Positive aspects

11. The Committee welcomed with appreciation Belgium's intention to withdraw its reservations on article 7, section (b), with respect to royal functions and on article 15 with respect to matrimonial property of rural women.

12. The Committee viewed positively the broad representation of the Council for Emancipation coming from various sectors such as non-governmental organizations, youth and other social partners.

13. The Committee lauded the Government's multicultural orientation for its programmes on women, which respected cultural identities under the umbrella of a federal system.

14. The Committee expressed its satisfaction at the Government's clarification of the definition of rape to include marital rape and its campaign to combat violence against women by mobilizing the media for that purpose. It also appreciated government subsidies to shelters for victims of violence and the training programmes to sensitize law enforcement agencies in dealing with violence against women.

15. The Committee also noted the passage of a landmark law against trafficking in persons, prostitution and pornography with extraterritorial applications, which was a decisive step by the Government of Belgium to address the issue of sexual exploitation of women.

16. The Committee welcomed the Government's efforts to adopt affirmative action measures to promote women's employment in senior positions in the public sector, as well as to nominate women as candidates for governmental advisory bodies.

17. The Committee noted with interest and satisfaction the increasing number of women in politics at the local level.

18. The Committee noted positively the decriminalization of voluntary interruption of pregnancy and the observance of confidentiality in counselling women who may or may not opt for it, and welcomed the information that there had not been an increase in the number of requests for voluntary interruptions of pregnancy.

Principal subjects of concern

19. While lauding the efforts of the Government to promote women's equality, the Committee recognized the relatively low presence of women in public and political life, in high-level government positions, the diplomatic service, in the military, in political parties and trade unions.

20. The Committee also noted the continuing wage gap and workplace segregation between men and women, and the higher unemployment rates among women, leading to the phenomenon of the feminization of poverty.

21. The Committee noted that the complexity of the structure of national machineries for women at the federal and local levels might present problems of implementation and coordination.

22. The written report lacked statistics and analysis of the articles, which clearly did not reflect the richness of the oral presentation.

23. Interest and concern were expressed by the Committee as regards efforts to address the needs of minority groups such as migrant women.

24. The issue of discrimination of women in social security and taxation is likewise of concern to the members of the Committee.

Suggestions and recommendations

25. The Committee recommends that national machineries for women and other mechanisms of equality look into the possibility of a monitoring system to ensure effective coordination and to avoid discrepancies between regions.

26. The Committee suggests that more statistical data and analysis of the articles of the Convention be presented rather than a de jure presentation. Adequate data should be provided on rural women, time-use analysis of women in households, female-headed households and attitudes towards minority women of the Maghreb and African communities.

27. Measures should be taken to address the hidden discrimination in social security and taxation between different groups of women.

28. To address the wage gap, job re-evaluation and reclassification should be explored.

29. The Committee suggests that the Government promote interest in women's participation in competitive sports and in media coverage of such events.

30. Programmes and projects to address the needs of migrant women and other vulnerable women should be made available in the next report.

31. The Committee recommends that in the next report more factual information be given on the impact of the affirmative action policies of the Government and on the obstacles encountered during implementation.

32. The Committee also recommends close monitoring of the impact of the enforcement of the law against trafficking in persons.